



United States Attorney
Southern District of New York

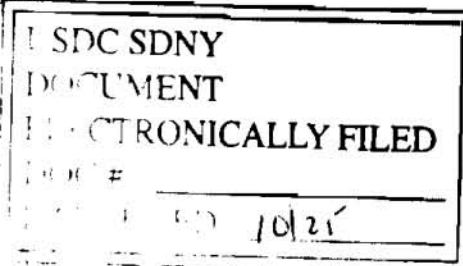
MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 20, 2005

BY FACSIMILE (212) 805-7968

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 920
New York, New York 10007



Re: United States v. Alberto William Vilar and Gary Alan Tanaka
S1 05 Cr. 621 (KMK)

Dear Judge Karas:

The Government writes to respectfully request that it be permitted to respond to Mr. Vilar's October 12, 2005 bail application on or before October 24, 2005. The Court had previously so ordered the Government's October 14, 2005, request to respond on or before October 21, 2004. The Government has been preparing a response; however, a *Fatico* hearing in another matter that commenced this morning unexpectedly consumed the entire day, and is likely to take up a considerable amount of time tomorrow given this evening's announcement that the defendant intends to testify. As a consequence, the Government will not be able to complete its response to the bail application by tomorrow. I have spoken to Susan C. Wolfe, Esq., defendant's counsel, about this matter, and she has consented to the Government's request.

Respectfully submitted,

MICHAEL J. GARCIA
UNITED STATES ATTORNEY

By: Marc Litt

Marc Litt
Assistant United States Attorney
(212) 637-2295

cc: Susan C. Wolfe, Esq. (By facsimile)

The Government has until October 24, 2005 to respond to defendant Vilar's bail modification application.
SO ORDERED

Kenneth M. Karas
KENNETH M. KARAS, U.S.D.J.
10/21/05